

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

RHONDA HALL,

Plaintiff,

v.

VERIZON COMMUNICATIONS, INC. and
VERIZON NEW ENGLAND, INC.

Defendants.

CIVIL ACTION NO. 05-30002-MAP

APRIL 20, 2007

**DEFENDANTS' MOTION TO DISQUALIFY
PLAINTIFF'S COUNSEL, HUGH D. HEISLER**

Defendants Verizon Communications, Inc. and Verizon New England, Inc. (collectively, "Verizon") hereby move to disqualify Plaintiff's attorney, Hugh D. Heisler, pursuant to Rule 3.7(a) of the Massachusetts Rules of Professional Conduct. As more fully explained in the attached memorandum of law in support of this motion, Attorney Heisler should be disqualified because is likely to be a necessary witness at trial. Plaintiff intends to use Attorney Heisler's letters to Verizon as exhibits at trial on the material disputed issue of whether Verizon offered Plaintiff a reasonable accommodation. Those letters contain, inter alia, strongly worded factual assertions regarding alleged racist and anti-Semitic graffiti that Plaintiff purportedly considered in making her decision to reject the transfer offer. Verizon is entitled to explore the basis of the letters' allegations with the person who made them, and thus Attorney Heisler is likely to be a necessary witness and must be disqualified.

Respectfully submitted,

DEFENDANTS, VERIZON
COMMUNICATIONS, INC. AND
VERIZON NEW ENGLAND, INC.

/s/ Stacy Smith Walsh

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CERTIFICATE OF SERVICE

I hereby certify that on April 20, 2007, a copy of foregoing **Defendants' Motion to Disqualify Plaintiff's Counsel, Hugh D. Heisler** was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Stacy Smith Walsh

Stacy Smith Walsh